





Ministry programs and initiatives

## Responsibility for sewage systems

### *Environmental Protection Act Part VIII*

#### New legislation

Effective March 1998, responsibility for regulating on-site septic systems under the Environmental Protection Act will be incorporated into the Building Code Act.

Under the *Services Improvement Act*, Bill 152, introduced on August 21 by Community and Social Services Minister Janet Ecker, the responsibility for regulating on-site septic systems under the Environmental Protection Act will be incorporated into the Building Code Act.

Municipalities would be responsible for inspection and approval of septic systems, holding tanks and certain other sewage systems. Large scale septic systems, communal systems and hauled sewage systems will remain the responsibility of the Ministry of the Environment and Energy.

Given on-going discussions regarding northern service delivery, responsibility for enforcing standards for on-site sewage systems in northern municipalities and unorganized areas will remain primarily with existing delivery agents.

Placing smaller on-site septic systems under the Building Code is a further refinement on the provisions introduced with *The Water and Sewage Services Improvement Act* (Formerly Bill 107). This is in keeping with the Who Does What Panel's recommendation that municipalities be responsible for their approval and enforcement activities in order to provide a "one window" for building permits, including permits for septic systems. This will reduce red tape and the regulatory burden on business, simplify municipal enforcement and provide opportunities for cost savings.

It is planned that this transfer of responsibilities will take effect in March 1998.

#### Current situation

While the Ministry of Environment and Energy (MOEE) currently administers sewage systems under Part VIII of the *Environmental Protection Act*, the program has been carried out primarily by boards of health and conservation authorities operating under contract with MOEE. These authorities have received a provincial subsidy for delivering the Part VIII program on behalf of MOEE.

#### Clarified government roles

In accordance with the recommendations of the Who Does What panel, headed by David Crombie, approval and inspection of septic systems is an example of a government program that can be best provided by the local level of government and is consistent with giving municipalities responsibilities for all water and sewage services.

The municipalities have also been given the power (under recent amendments to the *Municipal Act*) to recover the full cost of administering the program from those who receive their services.

The new bill will further advance the ability of municipalities to provide one window service by consolidating the bulk of applications, those involving small on-lot systems, into the Building Code Act.

The environmental standards for smaller systems will be maintained by setting tough rules for sewage system installation and operation and the certification of septic tank installers and inspectors.

## What's Next?

The transfer of the septic program to municipalities is intended to take place in March 1998.

This will provide municipalities with sufficient time to have their staff trained and certified to take over responsibility for septic.

As well, the March 1998 date will also coincide with the release of the next edition of the Ontario Building Code, allowing municipalities to begin their responsibilities with the latest version of the code.

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## For more information, please contact:

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